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7                   UNITED STATES DISTRICT COURT  
8                   WESTERN DISTRICT OF WASHINGTON  
9                   AT SEATTLE

10                  LOWELL T. CORMIER, *et al.*,

11                  Plaintiffs,

12                  v.

13                  CITIBANK SOUTH DAKOTA, N.A., *et al.*,

14                  Defendants.

15                  Case No. C04-2538L

16                  ORDER TO SHOW CAUSE

17                  This matter comes before the Court *sua sponte*. Plaintiff Lowell Cormier, who is  
18 proceeding *pro se*, has filed his complaint on behalf of himself and “all others similarly situated”  
19 against various defendants. Plaintiffs allege that Snohomish County Superior Court Judge  
20 Thomas Wynne aided and abetted the other defendants in a fraud scheme that violated the  
21 Racketeer Influence and Corrupt Organization Act, 18 U.S.C. §§ 1961-1962 (“RICO”). A  
22 review of the filings in this and related cases shows that Judge Wynne approved a writ of  
23 garnishment regarding Discover Bank’s efforts to collect on plaintiffs’ credit card debt.

24                  On September 15, 2005, the Court granted Judge Wynne’s motion for summary judgment  
25 in the related case C04-2537L (W.D. Wash. 2004) (Dkt. #75). The Court found that Judge  
26 Wynne was entitled to judicial immunity because he approved the writ in his official capacity.  
27 See, e.g., Ashelman v. Pope, 793 F.2d 1072, 1075 (9th Cir. 1986) (explaining that judges are  
28 “absolutely immune” from damage liability for acts performed in their official capacities).

29                  ORDER TO SHOW CAUSE- 1

1 Plaintiffs did not dispute the application of immunity or provide any evidence to undermine it.

2 They make virtually identical claims against Judge Wynne in this case.

3 Accordingly, plaintiffs are ordered to SHOW CAUSE, within fifteen days of the date of  
4 this order, why their complaint as to Judge Wynne should not be dismissed for the same reasons  
5 identified in the Court's order in C04-2537L (W.D. Wash. 2004) (Dkt. #75). The Clerk of the  
6 Court is directed to place this order to show cause on the Court's calendar for October 7, 2005.

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8 DATED this 19th day of September, 2005.

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11 Robert S. Lasnik  
12 United States District Judge